

**CALIFORNIA STATE LIBRARY**  
**Sacramento**

**LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA)**  
**PROGRAM**

**SPECIAL ANNOUNCEMENTS**

June 2001

# CALIFORNIA STATE LIBRARY

Sacramento

## LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) PROGRAM

### CHILDREN'S INTERNET PROTECTION ACT (CIPA)

Public library and public school library applicants should take note of the Children's Internet Protection Act (CIPA), which may have a bearing on their decisions to seek LSTA funding in FY 2002/03 and beyond. CIPA was signed into law December 21, 2000, and took effect April 20, 2001, although implementation is phased. The law attaches requirements to the use of federal funds to purchase computers or a service used to access the Internet. Starting in FY 2002/03 a public library using LSTA grant funds for those purposes must have in place a policy of Internet safety including a "technology protection measure," or filter, to block certain visual depictions considered to be obscene, child pornography, or harmful to minors, as defined in the law. NOTE: for LSTA, the law affects public libraries and public (not private) elementary and secondary school libraries defined in Sec. 213(A) and (B) of the LSTA. An information flier furnished by the Institute of Museum and Library Services together with an excerpt from CIPA is attached. More information will be furnished to applicants as it becomes available.

The following points cover selected issues regarding CIPA as it will affect California public libraries that are LSTA grant recipients. These are subject to change as the law is clarified by regulations, or through guidance from the Institute of Museum and Library Services (IMLS) or other responsible agencies.

1. The State Library's preliminary understanding is that CIPA will take effect with LSTA grants made for FY 2002/03 (starting October 1, 2002). The CIPA is not applied retroactively.
2. LSTA grant recipients affected by CIPA will certify to the California State Library, not to IMLS. Certification with CIPA will be completed as part of the normal grant certification and claim process shortly after receipt of a grant award. Information on how to certify will be furnished with the award letter packet. Public libraries receiving discounts for Internet access or Internet terminals under E-Rate *and* LSTA funds for Internet need comply only with the E-Rate provisions and implementation schedule, which are somewhat different from those for LSTA. Public libraries receiving LSTA but *not* E-Rate must certify and comply only with LSTA CIPA provisions. Public libraries using neither E-Rate nor LSTA for Internet access or Internet terminals do not need to comply with CIPA.
3. As a precaution, it is believed that CIPA applies to staff computers purchased by LSTA funds or used for Internet service paid by LSTA, but this is not definitive.
4. The Neighborhood Children's Internet Protection Act (NCIPA) does not apply to LSTA funds.
5. CIPA applies to consortia, cooperative library systems, and Library of California regional networks receiving LSTA funds, if they and/or their public library members are involved in

an LSTA project, and that project includes public libraries using LSTA funds for Internet terminals or Internet access. Only member libraries designated as affected by CIPA are required to comply with CIPA. Other members using an Internet computer or service paid by LSTA do not need to comply. The specific procedure for compliance by consortia grant recipients will be announced in the grant award letter.

Different rules apply to public schools and public school libraries regarding E-Rate and LSTA. These rules have not yet been made clear. The State Library will notify prospective school applicants as soon as guidance becomes available regarding LSTA.

## RESOURCES

### LSTA

Institute of Museum and Library Services Web site: <http://www.ims.gov>

American Library Association's CIPA Web site: <http://www.ala.org/cipa/html>

American Library Association's Washington Office Web site: <http://www.ala.org/washoff/>

### E-Rate

Universal Service Administrative Company, Schools and Library Program:  
<http://www.sl.universalservice.org/>

Federal Communications Commission Web site: <http://www.fcc.gov/>

Encl.

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# **CALIFORNIA STATE LIBRARY**

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### **LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) PROGRAM**

#### **REALIGNMENT OF LSTA GRANT PERIOD WITH STATE FISCAL YEAR**

Due to federally-mandated reporting requirements, the State Library has elected to align the LSTA grant year with the State of California fiscal year (July 1 – June 30) by switching from the present federal fiscal cycle (October 1 – September 30). The realignment will take effect with the FY 2003/04 grant period that will begin July 1, 2003, coinciding with the start date of the State fiscal year.

#### Advantages

- Extends by three months the time available for post-grant liquidation and final project reporting prior to the deadline for federal funds closing December 31
- Reduces the chances of unspent project funds reverting to the federal government
- Provides better planning and timing of local approval of grants to those recipients having the same fiscal year as the State

#### Concerns

The impact of this for the FY 2003/04 transition year on certain grant applicants may be significant but not expected to be unreasonable.

- Tight overlap of FY 2002/03 and 2003/04 project development cycles (preparing application for 2002/03 due in June 2002 at same time as proposal for 2003/04 due in October 2002)
- May be difficult to plan continuation projects
- Possible delay in grant awards if State budget (containing LSTA expenditure authorization) is delayed past June 30

The State Library will take these concerns into account in implementing the realignment.

#### Plan of action

The changeover to the State fiscal year would occur July 1, 2003, and be aligned from then on. This will mean an earlier start on the Application Cycle for 2003/04. The application packet will be available three months earlier and the grant year will commence three months earlier.

To furnish adequate project preparation and processing time, an early-start application cycle will begin with the new application packet in April 2002 and continue with November 15, 2002 (date approximate) as the Proposal deadline. Applications will be due March 15, 2003. This timeline will position us to begin the new cycle as of July 1, 2003, for the grant year 2003/04.

#### Discussion

There are several advantages to this decision for the administration of the LSTA program in California. The most important is a longer post-grant time frame for recipients' final reports to be received and processed. The report deadlines will be moved up accordingly but the shifted calendar will give the State Library more flexibility in obtaining late reports, receiving abatements and liquidations, and preparing the IMLS annual report due December 31 (date unchanged).

There will be no effect on the FY 2001/02 or 2002/03 grant years.

Recapping, the timeline for the FY 2003/04 application cycle is as follows:

April 2002	<i>Application packet announced</i>
November 15, 2002	<i>Proposals due</i>
March 15, 2003	<i>Applications due</i>
July 1, 2003	<i>Start of LSTA aligned fiscal year</i>
June 30, 2004	<i>End of fiscal year</i>
July 31, 2004	<i>Final reports due from projects</i>
September 15, 2004	<i>Liquidation of 2003/04 projects</i>
December 31, 2004	<i>State Library annual report to IMLS</i>

For questions or comments, please contact Jay Cunningham, LSTA Coordinator, Library Development Services, California State Library, tel. (916) 653-8112, email [jcunningham@library.ca.gov](mailto:jcunningham@library.ca.gov).

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